

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RAYMOND EARL PETERSON,)	
)	
Petitioner,)	Civil Action No. 11-402
)	
v.)	Judge McVerry
)	Magistrate Judge Eddy
STEVEN GLUNT, <i>et al.</i> ,)	
)	
Respondents.)	

MEMORANDUM ORDER

Raymond Earl Peterson (“Petitioner”) is a state prisoner who has filed a federal habeas petition pursuant to the provisions of 28 U.S.C. § 2254. In his amended petition, he attempts to bring claims against Respondents Rutter, Kearn, O’Barto, Reese, Sneddon, and City of Uniontown (“Uniontown Respondents”), for alleged violations of his rights under the First, Fifth, Sixth, and Fourteenth Amendments to the Constitution of the United States. (Doc. 9 at 1-2). Generally, Petitioner alleges that, from December 30, 2007, to December 23, 2008, he was falsely arrested, beaten, and deprived of property on multiple occasions by Uniontown Respondents. Id. at 4-5.

This matter was referred to a United States Magistrate Judge for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules for Magistrate Judges. On November 14, 2011, the magistrate judge issued a report and recommendation recommending that Plaintiff’s claims against Uniontown Respondents be dismissed, as they are not cognizable under 28 U.S.C. § 2254. (Doc. 12 at 3). The magistrate judge also recommended that, to the extent that one is applicable, a certificate of appealability be denied. Id. A copy of the report was mailed to Petitioner at his address of record, and Petitioner

was given until November 28, 2011, to file objections. As of the date of this writing, no objections have been filed.

After *de novo* review of the pleadings and documents in the case, together with the report and recommendation (Doc. 12), the following ORDER is entered:

AND NOW, this 13th day of December, 2011,

IT IS HEREBY ORDERED Petitioner's claims against Respondents Rutter, Kearn, O'Barto, Reese, Sneddon, and City of Uniontown are DISMISSED.

IT IS FURTHER ORDERED that a certificate of appealability, to the extent that one is applicable, is DENIED.

IT IS FURTHER ORDERED that the magistrate judge's report and recommendation (Doc. 12) is adopted as the opinion of this Court with respect to this issue.

BY THE COURT:

s/Terrence F. McVerry
TERRENCE F. McVERRY
UNITED STATES DISTRICT JUDGE

cc:

RAYMOND EARL PETERSON
Gateway Braddock
426 George Street
Braddock, PA 15104